

Docket No.: 2003536.127-US2
Serial No. 09/843,841

PATENT

REMARKS

In the Office Action, the Examiner noted that Claims 1-30 are rejected over the prior art of record.

By this Amendment, Claims 15, 26, 27, 28, 29, and 30 have been amended, and Claims 31-58 have been added. Thus, Claims 1-58 are presented for examination. Applicant respectfully submits that no new matter has been introduced into the present application, and that the amendments to the claims are supported by the originally filed specification and drawings.

For sake of convenience, Applicant is not reciting in the remarks section of this Amendment, the specific amendments to the claims when combined with the remaining elements that are patentably distinguishable. Rather, Applicant directs the Examiner to the specific claims where clearly the amendments to those claims in combination with the remaining elements are asserted to be patentably distinguishable over the prior art.

The new claims each refer to the portions of the specification that disclose combinations of features novel to the art. These new claims are aimed at providing remote access to legacy insurance applications, a presentation services tier, using a web-based GUI to access legacy insurance applications without utilizing the legacy interface associated with the legacy insurance application, embedding business logic in this GUI since the legacy interface is no longer available, dynamically updating a web-based screen based on data captured on previous screens, and local printing of insurance papers. The claims also discuss business and data services tiers, and their novel component structures and functions.

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Accordingly, Applicants respectfully submit that the combination of elements in each of the independent claims is patentably distinguishable over the prior art. Withdrawal of the rejection is respectfully requested. In addition, Applicants also submit that the dependent claims, when each of these claims are considered as a whole, patentably distinguish over the prior art. Withdrawal of the rejection for these reasons as well is respectfully requested.

The Examiner's rejections are respectfully traversed below.

Rejections Under 35 USC Sections 103

Claims 1-30 stand rejected based on the following prior art references: Burchetta et al. U.S. Patent 6,330,551; in view of Barry et al. U.S. Patent 6,615,258, Ahlberg et al. U.S. Patent 6,587,836, and Rowe et al. U.S. Patent 6,682,421 under 35 U.S.C. Section 103.

Applicant respectfully traverses this rejection, and incorporates herein by reference the remarks contained in Applicant's response filed November 15, 2006. Applicant submits that the combination of elements and/or steps recited in each presently pending claim, when interpreted as a whole, is patentable over the cited references.

U.S. Patent 6,330,551 to Burchetta, entitled "Computerized Dispute Resolution System and Method," is a computer system method for easing dispute resolution. The system eases the process of resolving a dispute between claimants and persons against whom claims are made by removing face-to-face interaction of the parties, and instead forcing the parties to interact via

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phone or internet. There, the parties may only interact with each other through the system, which allows them only to state the value at which they are willing to settle the claims. The system accepts offers and demands from all parties while not disclosing the other offers and demands until after each party has made its own. This process removes intimidation and grandstanding as impediments to a settlement, and allows for a low cost transaction. In addition to the arguments stated in the response to the Office Action of August 11, 2006, the Burchetta disclosure is not a system or method providing access to a legacy application, but rather a new system for easing a settlement of a claim. The Burchetta system further differs from the instant application in that it is not aimed at providing a system for manipulating insurance company data. While an insurance company may be a defendant that can be summoned by a claimant to use the Burchetta system, as well as any other corporation, the system itself is not an insurance application. Rather, the Burchetta system provides a service for a generalized population of claimants and defendants of these claims. It is for this reason that Applicant respectfully disagrees with the Examiner that Burchetta teaches a method of providing remote access to insurance applications. As a result of this distinction, this prior art reference is unrelated to the instant application, and does not render obvious any of the claims of the instant application. The addition of the Barry, Ahlberg, and Rowe references are insufficient to cure the deficiencies of Burchetta.

As discussed in the previous response, the combination of Barry, Ahlberg and Burchetta does not teach a method for accessing an application that includes prompting a user at a login screen for a user ID, a user password, and a selection of an insurance application from a list. Likewise, the references individually and in combination fail to describe, teach or suggest accepting a user ID, user password, and selection of an insurance application at a login screen.

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The Examiner suggests that U.S. Patent 6,682,421 to Rowe remedies the deficiencies of the combination of Barry, Ahlberg, and Burchetta. Applicant respectfully disagrees. Rowe, entitled "Wireless Gaming Environment" is a handheld game services system having a wireless communications interface allowing many different gaming functions to be executed on one device. The invention is aimed at the gaming and casino industry, allowing them a mobile system to verify game results. As the Examiner notes, the reference discloses a menu on the logon screen where the user selects the application to run at the same time as providing log on identification. However, this reference is clearly not aimed at the insurance field, nor a system of providing remote access to a legacy application, nor a system involving web technology. For this reason, Applicant respectfully disagrees with the Examiner that one having ordinary skill in the art of providing remote access to legacy insurance applications would be motivated by a desire to allow a user to view various gaming applications while they are logging into the gaming system to combine the teachings of Rowe '421 with any other references to render obvious any claims of the instant application.

In view of the above, Applicant respectfully submits that claims 1-30 are unobvious over the cited references and respectfully request that the rejection under 35 U.S.C § 103 be withdrawn.

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CONCLUSION

Applicant respectfully submits that, as described above, the cited prior art does not show or suggest the combination of features recited in the claims. Applicant does not concede that the cited prior art shows any of the elements recited in the claims. However, Applicant has provided specific examples of elements in the claims that are clearly not present in the cited prior art.

Applicant strongly emphasizes that one reviewing the prosecution history should not interpret any of the examples Applicant has described herein in connection with distinguishing over the prior art as limiting to those specific features in isolation. Rather, Applicant asserts that it is the combination of elements recited in each of the claims, when each claim is interpreted as a whole, which is patentable. Applicant has emphasized certain features in the claims as clearly not present in the cited references, as discussed above. However, Applicant does not concede that other features in the claims are found in the prior art. Rather, for the sake of simplicity, Applicant is providing examples of why the claims described above are distinguishable over the cited prior art.

Applicant wishes to clarify for the record, if necessary, that the claims have been added to expedite prosecution and/or explicitly recite that which is already present within the claims. Moreover, Applicant reserves the right to pursue the original and/or complimentary subject matter recited in the present claims in a continuation application.

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Any narrowing amendments made to the claims in the present Amendment are not to be construed as a surrender of any subject matter between the original claims and the present claims; rather merely Applicant's best attempt at providing one or more definitions of what the Applicant believes to be suitable patent protection. In addition, the present claims provide the intended scope of protection that Applicant is seeking for this application. Therefore, no estoppel should be presumed, and Applicant's claims are intended to include a scope of protection under the Doctrine of Equivalents and/or statutory equivalents, i.e., all equivalents that are substantially the same as the presently claimed invention.

Further, Applicant hereby retracts any arguments and/or statements made during prosecution that were rejected by the Examiner during prosecution and/or that were unnecessary to obtain allowance, and only maintains the arguments that persuaded the Examiner with respect to the allowability of the patent claims, as one of ordinary skill would understand from a review of the prosecution history. That is, Applicant specifically retracts statements that one of ordinary skill would recognize from reading the file history were not necessary, not used and/or were rejected by the Examiner in allowing the patent application.

For all the reasons advanced above, Applicant respectfully submits that the rejections have been overcome and should be withdrawn.

For all the reasons advanced above, Applicant respectfully submits that the Application is in condition for allowance, and that such action is earnestly solicited.

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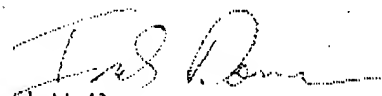
AUTHORIZATION

The Commissioner is hereby authorized to charge any additional fees, which may be required for this Amendment, or credit any overpayment to Deposit Account No. 08-0219

In the event that an Extension of Time is required, or which may be required in addition to that requested in a petition for an Extension of Time, the Commissioner is requested to grant a petition for that Extension of Time which is required to make this response timely and is hereby authorized to charge any fee for such an Extension of Time or credit any overpayment for an Extension of Time to Deposit Account No. 08-0219.

Respectfully submitted,

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